

REMARKS/ARGUMENTS

Prior to the entry of this Amendment, claims 1-4, 6-14 and 16-22 were pending in this application. Claims 1 and 11 have been amended, no claims have been added and no claims have been canceled herein. Therefore, claims 1-4, 6-14 and 16-22 remain pending in this application. Applicants respectfully request reconsideration of these claims, as amended, for at least the reasons presented below.

35 U.S.C. § 103 Rejection, Norris in view of Combar

The Office Action has rejected claims 1-4, 6-8, 10-14, 16-18 and 20-22 under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,805,587 to Norris et al. (hereinafter "Norris") in view of U. S. Patent No. 6,515,968 to Combar et al. (hereinafter "Combar"). The Applicants respectfully submit that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims. Therefore, the Applicants request reconsideration and withdrawal of the rejection.

In order to establish a *prima facie* case of obviousness, the Office Action must establish: 1) some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine their teachings; 2) a reasonable expectation of success of such a modification or combination; and 3) a teaching or suggestion in the cited prior art of each claimed limitation. See MPEP §706.02(j). However, the references cited by the Office Action do not teach or suggest each claimed limitation. For example, none of the references, alone or in combination, teach or suggest responsive to a telephone call from a calling station, forwarding the telephone call to an application server regardless of a connection status of the called station.

Norris is directed to "a call waiting feature for a called telephone station set that is busy as a result of being connected to a conventional data network, e.g., the Internet." (Col. 1, lines 7-10) However, as pointed out in the Background section of the pending application, Norris forwards a call to an access server only after notification that the called station is busy.

See for example, col. 5, lines 48-58 of Norris. Thus, Norris does not teach or suggest forwarding the telephone call to an application server regardless of a connection status of the called station

Combar "provides an Internet enabled and Web-based remote interface that allows a customer to retrieve their unpriced call traffic detail information and call disposition statistics in the form of reports, as well as access and view their real-time call traffic details relating to their special service call numbers." (Col. 3, line 64 - col. 4, line 2) However, Combar does not teach or suggest responsive to a telephone call from a calling station, forwarding the telephone call to the intermediate server regardless of a connection status of the called station.

Claim 1, upon which claims 2-4 and 6-10 depend, recites in part "responsive to a telephone call from a calling station, forwarding the telephone call to the application server regardless of a connection status of the called station." However, neither reference, alone or in combination teaches or suggests forwarding a telephone call to an application server regardless of a connection status of the called station. For at least these reasons, claims 1-4 and 6-10 should be allowed.

Claim 11, upon which claims 12-14 and 16-22 depend, recites in part "responsive to a telephone call from a calling station, forwarding the telephone call to the intermediate server regardless of a connection status of the called station." However, neither reference, alone or in combination teaches or suggests forwarding a telephone call to an intermediate server regardless of a connection status of the called station. For at least these reasons, claims 11-14 and 16-22 should be allowed.

35 U.S.C. § 103 Rejection, Norris in view of Combar and further in view of Adams

The Office Action has rejected claims 6-8 and 16-18 under 35 U.S.C. § 103(a) as being unpatentable over Norris in view of Combar and further in view of U. S. Patent Publication No. 2004/0240651 to Adams et al. (hereinafter "Adams"). As discussed above, claim 1, upon which claims 6-8 depend, and claim 11, upon which claims 16-18 depend, are thought to be allowable. Therefore, claims 6-8 and 16-18 are also thought to be allowable at least by virtue of their dependence on an allowable base claim.

Appl. No. 09/660,785

PATENT

Amdt. dated: September 18, 2006
Reply to Office Action of June 19, 2006

35 U.S.C. § 103 Rejections, Norris in view of Combar and further in view of Norris '611

The Office Action has rejected claims 9 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Norris in view of Combar and further in view of U. S. Patent No. 6,353,611 to Norris et al. (hereinafter "Norris '611"). As discussed above, claim 1, upon which claim 9 depends, and claim 11, upon which claim 19 depends, are thought to be allowable. Therefore, claims 9 and 19 are also thought to be allowable at least by virtue of their dependence on an allowable base claim.

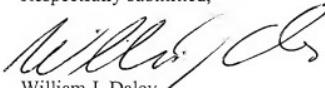
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

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Respectfully submitted,



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Enclosures

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